

**ENTERED**

May 18, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

JOHN RAY MELCHER  
and MELCHER HOLDINGS, INC.

V.

SMALL BUSINESS LOAN SOURCE,  
LLC, ET AL.

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CIVIL ACTION NO. G-14-288


**REPORT AND RECOMMENDATION**

On April 22, 2016, Plaintiff, John Ray Melcher, failed to appear in Court for a Scheduling Conference. Neither Melcher nor MHI has filed a single objection to any of Judge Froeschner's five recommendations. In addition, MHI has not acquired new counsel and, as a corporation with no authority to proceed pro se, is in no position to prosecute its case any further.

This Court, therefore, finds that the Plaintiffs appear to no longer wish to pursue this case and **RECOMMENDS** that it be **DISMISSED** for want of prosecution and that a Final Judgment be entered. See, McNeal v. Papasan, 842 F.2d 787, 789-790 (5<sup>th</sup> Cir. 1988).

The Clerk **SHALL** send a copy of this Report and Recommendation to the Parties who **SHALL** have until **June 9, 2016**, to file written objections. The Objections SHALL be electronically filed and/or mailed to the Clerk's Office at P.O. Drawer 2300, Galveston, Texas 77553. Failure to file written objections within the prescribed time **SHALL** bar any Party from attacking on appeal the factual findings and legal conclusions accepted by the District Judge, except upon grounds of plain error.

**DONE** at Galveston, Texas, this 18th day of May, 2016.

  
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John R. Froeschner  
United States Magistrate Judge